

**REMARKS**

Upon entry of the amendment, claims 1 and 9-14 will be all of the claims pending in this application.

New claims 10-14, which correspond to original claims 3-4 and 6-8, have been added. Applicants inadvertently instructed that these claims be canceled in the last response.

It is respectfully submitted that the amendments raise no new issues since claims 3-4 and 6-8 were previously examined on the merits and depend from claim 1. This, if claim 1 is allowed based on the following, the dependent claims should also be allowed.

Accordingly, entry of the above amendments is respectfully requested.

**I. Terminal Disclaimer**

The obviousness-type double patenting rejection over US Application 11/041,394 is not withdrawn because the Examiner did not accept the terminal disclaimer filed on February 24, 2006.

A Terminal Disclaimer is resubmitted herewith.

Accordingly, withdrawal of the rejection is respectfully requested.

**II. Response to Rejection of Claims 1 and 9 under 35 U.S.C. § 103 (a)**

Claims 1 and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ho et al. (US 5,468,532) in view of Mueller et al. (US 6,180,228B1).

In addition, claims 1 and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Mueller.

Applicants respectfully traverse the rejections.

The present invention according to claim 1 is a double-sided pressure-sensitive adhesive tape which comprises a substrate and a pressure-sensitive adhesive layer disposed on both sides of the substrate, wherein the substrate comprises colored layers comprising a white layer, a layer of a color other than white and black, and a black layer which are superposed in this order. In order to obtain the "double-sided pressure-sensitive adhesive tape" according to the present invention, it is important that the outermost layers of both sides of the substrate are the pressure-sensitive adhesive layers. In addition, the double-sided pressure-sensitive adhesive tape can be used for adhering different goods together using the pressure-sensitive adhesive layers as the outermost layers thereof.

The Examiner considers the double-sided pressure-sensitive adhesive tape according to the present invention to be obviousness from the combination of Mueller and Ho or from Mueller.

Applicants respectfully disagree and submit that the double-sided pressure-sensitive adhesive tape according to the present invention is not taught or suggested by the cited references.

Mueller relates to an invention for a "graphic article" for advertisement and Ho also relates to an invention for a "graphic article." The graphic articles of Mueller and Ho are used for the distribution of information or for decoration. Although a pressure-sensitive adhesive layer for adhering the graphic article to goods is on one surface of the outermost layers of the graphic article, no pressure-sensitive adhesive layer is on the other surface of the outermost layers. This is because the graphic article of Mueller and Ho must perform the function of a being a decoration surface or an information indication surface in view of the objective of the

inventions of Mueller and Ho. Thus, when properly read, both of the cited references disclose a substrate having a single pressure-sensitive adhesive layer.

In view of the inventions, particularly the objectives of the inventions, there is no motivation that would lead one of ordinary skill in the art to provide pressure-sensitive adhesive layers on both sides of the outermost surfaces. Accordingly, the cited references do not teach or suggest the double-sided pressure-sensitive adhesive tape of the present invention, which comprises a substrate and a pressure-sensitive adhesive layer disposed on both sides of the substrate, where the substrate comprises colored layers having a specific constitution.

Hence, Ho in combination with Mueller or Mueller alone, do not render claim 1 obvious.

In addition, it is respectfully submitted that claims 9-14, which depend from claim 1, are patentable for at least the same reasons as claim 1.

In view of the above, withdrawal of the rejections is respectfully requested.

## **II. Conclusion**

For the foregoing reasons, reconsideration and allowance of claims 1 and 9-14 is respectfully requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-

**AMENDMENT UNDER 37 C.F.R. § 1.116**  
**U.S. Application No.: 10/623,569**

**Attorney Docket No.: Q76408**

4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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